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Michael Parsons

1 Throughout the New Labour years, at least until the recent financial crisis which began in 2008, Britain was considered, and saw itself, as prosperous and successful, in stark contrast with the "sick man of Europe" of the 1970s. According to dominant discourses, this strong and stable upturn in the economy was largely due to a job market which was much less regulated than, for example, that in France. The minimum wage was supposed to protect the lowest-paid workers, but in many other respects employers were much freer to "hire and fire" than most of their European counterparts. Many people from the EU and elsewhere came to the UK to find work. London became, for example, an attractive city for many talented French workers in the business sector and elsewhere. The reality may have been more complex, as is suggested in the Spring 2003 issue of this journal, but the perception of a British economy which was flourishing because of the relative lack of regulation in the job market was an enduring one.

2 There has however been a gradual realisation that there may be a dark side to this generally attractive picture of economic regeneration. There is increasing awareness that behind many of the goods and services that have characterised this dynamic economy and society there are sometimes some rather unpleasant truths. In many sectors, work which many British people are reluctant to do is done by poorly-paid precarious workers or, in the worst cases, by people who are kept in a state bordering on slavery. Apart from the sex industry, where such exploitation is rife, agriculture, food processing and packaging and shellfish gathering[1] as well as construction are all areas were abuses of this

kind have been identified. This is not to say that such exploitation of workers or human trafficking is ubiquitous but it is clearly widespread. There have been a number of enquiries and reports, new legislation has been introduced and various agencies have been set up.

3 Work done by charities and pressure groups on the one hand, and official reports, enquiries and legal investigations, on the other hand, have been accompanied by an increasing interest in this issue shown by filmmakers and novelists. We will be looking at the ways in which a small selection of these more-or-less fictional representations have attempted to bring the issue into the public eye and give it more "substance" and humanity than can be provided by the dry prose of a report.

4 Lucienne Germain was always prompt to denounce discrimination; always ready to protest when she felt other people were not being give proper, decent treatment. She told me once how she had witnessed the police consistently harrassing a group people for no real reason apart, no doubt, from some kind of "*délit de sale gueule*" and had protested vigourously against what she told them was unacceptable behaviour on their part. In the end she was taken off to the police station to have her own papers checked... I hope she approves of my decision to write about an extreme form of mistreatment and how people have tried to do something about it.

Cockle-pickers

5 Perhaps the most striking and tragic of the events to have brought home to the public in Britain the appalling results of human trafficking and exploitation was the drowning of at least 21 Chinese cockle-pickers in Morecambe Bay on 5 February 2004. They had been brought in at night to collect cockles from the well-stocked cockle-beds in the bay, unaware that its treacherous tides made it extremely dangerous. They worked at night because their activity in the bay was not popular with local cockle-pickers. The men and women had been driven to the bay by a Chinese gangmaster and left unsupervised with no knowledge of the environment in which they had been left. They were all illegal immigrants from the Chinese province of Fujian. As the icy waters rose around them in the darkness, not knowing in which direction to try and escape, some of them made phone calls to their families in China explaining that they were certain they would die. There were 15 survivors, 21 bodies were found in the days following the accident, and it is believed there were two other cockle-pickers who were also drowned.

6 The tragedy was widely reported and reconstructed for television in a documentary called *Ghosts*[2]. (The Chinese apparently call whites "ghosts", but equally the Chinese workers themselves were among the "ghosts" who are the invisible workers who provide food and services at competitive rates). The gangmaster was tried for manslaughter and in 2006 received a four year and nine month sentence.

7 The public outcry generated by the Morecambe Bay incident was undoubtedly a major force behind the legislation introduced in 2004 to regulate "gangmasters" or "labour providers". It did not end there: journalists found that even after the event families in Fujian were still suffering from the after-effects and a public appeal was launched, initially with only limited success, to relieve their distress. It was believed that the public were reluctant to contribute to the fund because they feared that the money would only end up going into the pockets of the "snakeheads" who had organised the trafficking in

the first place. When this was shown not to be the case contributions flowed in and the fund was later closed once its target had been reached. Most reports on illegal workers in the UK make some reference to the incident.

Organ trafficking and other "dirty things"

8 A rather different view of the lives of migrant workers, whether undocumented or not, is provided by the first major film of the 2000s to look at the seamier side of London life, Stephen Frear's film *Dirty Pretty Things*, released in 2002. The hero is a Nigerian, Okwe, who has not been granted asylum because he has been "framed" by the authorities after he had taken a publicly critical stand against them. His wife had been burnt to death by the government and he had then been accused of the murder. He is a taxi driver by day and at night a receptionist in the Baltic hotel. He is also a doctor and helps people who need medical care and cannot take the risk of consulting a GP or going to hospital, and in this he is aided and abetted by a Chinese doctor who works in the morgue. He shares a bedsit with an undocumented Turkish worker called Senay, played by Audrey Tautou, who is a cleaner at the hotel.

9 Their lives change dramatically when different strands in the plot come together. Senay has to leave her work in the hotel because the immigration authorities, who make a very intimidating visit to her bedsit, have found out that she works there. She decides to go and work in a sweatshop making clothes, but is forced under threat of denunciation to the authorities to have oral sex with the owner; after taking her revenge, she flees and seeks a more desperate solution to realise her dream of finding a new life for herself in the United States.

10 Okwe discovers that the hotel manager "Sneaky" Juán is using the hotel to traffic human organs. Okwe is confronted with an unfortunate Somali suffering the appalling effects of a bungled operation to take one of his kidneys which has left him with a horrific wound and septicemia: Okwe looks after him, but in doing so reveals to Juán that he is a doctor. Juán tries to persuade him to work for him and Okwe, who is sensitive and honest, unsurprisingly refuses. However when he discovers who Juan's next victim will be he changes his mind and agrees to do the operation in return for a passport offering him a new identity: Senay has agreed to sell a kidney to get the money and passport she needs.

11 The twist at the end comes when Okwe, helped by an engagingly optimistic and human prostitute who regularly works at the hotel, drugs Juán, removes one of his kidneys (but insists on stitching him up again properly) and leaves with Senay and the prostitute to deliver the kidney to a waiting driver and collect the £ 10,000 for which the organ is being sold. At this point the driver of the car (an English surgeon?) remarks that it is not Juán who is bringing the kidney and points out that "we don't usually see you people". Okwe memorably replies that they are just the invisible people who work to provide services for the better-off people who don't even notice them: "we are just the people who drive your cabs, clean your rooms and suck your cocks", he says. The remark of course applies much more widely to describe the fate of all the migrant workers whose lives in London are at one stage or another briefly *mises en scène*.

12 Perhaps what makes *Dirty Pretty Things* a successful film is not so much that it provides a fleshed-out, haed-hitting though sometimes amusing portrayal of this seamier London, but also because its characters are engaging, honest and resourceful, victims and not

criminals guilty of being illegal immigrants. Okwe in particular is an admirable person, as is his Chinese doctor friend at the morgue, who helps him do his good work as a doctor.

13 The abuses described by *Dirty Pretty Things* are varied but often extreme. The villains, with the exception of the rascally Russian porter who makes a little extra running a "parallel" room service delivering food filched from the kitchens to hotel patrons who are asked to pay cash, are thoroughly unpleasant characters. However exploitation of migrant workers can be much more complex.

Invisible workers

14 Amanda Craig's novel *Hearts and Minds* (2009) also presents a number of migrant workers or trafficked victims but offers a more varied range of people taking advantage of them. The thugs who force a teenage Ukrainian girl into slavery in the sex industry are anything but subtle, but the main character in the book is a much more interesting figure. She is a British solicitor, Polly Noble, a single mother who specializes in defending "illegals" threatened with expulsion. Her heart is in the right place, she almost certainly reads the *Guardian*, and she does what she can to help. Indeed she herself employs an undocumented Russian worker Iryna to look after her children, take them to school, clean the house and so on. She does so with a clear conscience because she treats her well and has even kitted out a bedroom for her with a TV set and so on. She almost feels she is doing her a favour.

15 When Iryna disappears she realises acutely that without her she simply cannot manage. When she learns that Iryna has been murdered, she begins to suffer pangs of remorse. The bedroom she had fitted out for her was not so attractive after all, with "its forlorn, tatty walls". Polly is perhaps not so noble after all, and represents the double standards which help London exploit the migrant workers without which it would probably grind to a halt. She is not a despicable person, but is rather naïve and has a flexible social conscience which she only becomes aware of when it is too late.

16 The character who undoubtedly comes out best in the novel is another illegal cab driver, a Zimbabwean this time, like Okwe essentially a good man, though permanently sad[3]. He finds a new purpose in life when he saves the Ukrainian sex worker from her enslavement and in return is given the papers he needs to leave the country and rebuild his life. London takes on a new flavour for the young girl he has helped to recover her freedom:

> All around, the tall pale buildings with their neat soldierly railings, identical as the days in a calendar, march forwards into the future and back into the past, and the city sighs its unending exhalation of hope, or exhilaration, or change.[4]

17 In short, despite man's inhumanity to migrant worker, there is still room for hope. London has seen it all before, and still offers a space for personal redemption. There is a future, and Amanda Craig, like Stephen Frears, allows her "good" characters to emerge more or less triumphant.

Politics, reports and surveys

18 Amanda Craig is a journalist, and her novel is based on documentary evidence of the lives she portrays, in particular a report published in 2007—200 years after the abolition of the slave trade in Britain—by the Joseph Rowntree Foundation, entitled *Contemporary Slavery*

in the UK. The definition of slavery is loose enough to include many of the people she describes: it involves "severe economic exploitation, the absence of any framework of human rights [and] the maintenance of control of one person over another by the prospect or reality of violence". The report stresses that "the key aspect of slavery... is that of coercion. Coercion exists 'in any situation in which the person has no real or acceptable alternative but to submit to the abuse involved'"[5].

19 The increasing emphasis on "cracking down" on illegal immigration, which finds regular and dramatic expression in newspapers like the *Daily Mail* but can be found in political and other discourses with increasing frequency, makes it all the easier for the unscrupulous to exploit migrant workers in particular and exert the sort of coercion which makes any other course of action difficult to take. Some of the case histories provide graphic examples of the way in which people have been tricked into coming to Britain by the promise of well-paid work and found themselves trapped. Frequently the gangmasters for whom they work take their passports or other papers and reinforce the isolation that comes from the language barrier by keeping the workers constantly hidden from the rest of society and maintains them in a state of economic dependence.

20 The government has increasingly been criticised for failing to treat the victims of trafficking as just that, victims, rather than criminals, despite the fact that in March 2007 it ratified the Council of Europe Convention on Action against Trafficking of Human Beings. This convention, which came into effect in the UK in 2009, defines trafficking of human beings as

> the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.[6]

21 The Convention states in its preamble that respect for victims rights, protection of victims and action to combat trafficking in human beings must be the paramount objectives, and article 14 stipulates that,

> Each Party shall issue a renewable residence permit to victims, in one or other *of* the two following situations or in both:
> a- the competent authority considers that their stay is necessary owing to their personal situation;
> b- the competent authority considers that their stay is necessary for the purpose of their co-operation with the competent authorities in investigation or criminal proceedings.[7]

22 Recent analysis, such as that presented in a report published by the Anti-Trafficking Monitoring Group, suggests that the provisions of the Convention have been either misinterpreted or inadequately enforced. The conclusion of the executive summary finds that,

> in practice, the UK has not established a system led by the principle that a person who has been trafficked has experienced abuse and requires time to recover before being exposed to the rigours of an immigration system that is designed to identify and remove people without entitlement to remain in the UK. The existing system is neither satisfying the provisions of the Convention nor key principles of rule of law itself. Pockets of local good practice contrast with the centralised system that lacks

> any formal coordination and seems to be failing to refer trafficked persons to assistance and protection. The system has so far failed to contribute significantly to either an increase in prosecution or a wider knowledge on trafficking.[8]

23 Not all the people subjected to this coercion and exploitation are illegal immigrants or the victims of human trafficking. Many are asylum seekers whose request for asylum has been refused; they are allowed to stay in the country pending appeal but are not allowed to work and only entitled at best to inadequate support. Chris Cleave's novel *The Other Hand* depicts a woman whose experiences in her own country would seem to provide ample justification for asylum, and yet her request is refused. She finds herself effectively imprisoned in a detention centre until she is let out along with a small group of other women after one of them secures their release in return for sexual favours given to one of the wardens. The sense of vulnerability as they leave the centre and finally walk free on English soil is palpable. The women are taken in by a farmer who is intensely critical of the way the government treats not only people like the heroine Little Bee but also farmers and country people generally:

> The government doesn't care about anyone. You're not the first people we've seen, wandering through these fields like Martians. You don't even know what planet you're on, do you? Bloody government. Doesn't care about you refugees, doesn't care about the countryside, doesn't care about farmers. All this bloody government cares about is foxes and townspeople.[9]

24 Others are legal migrant workers (one of the first case studies in the report charts the exploitation of a group of polish workers who came to the UK after Poland had joined the EU[10]) who are tricked into handing over their documentation and gradually overwhelmed in a web of debt and threats of physical violence.

25 One of the areas where this kind of exploitation is widespread, according to a number of reports published by the government and various pressure groups, is agriculture (fruit picking and so on). This features in another novel published in the late 2000s, Monica Ali's *In the Kitchen*, which is, like *Dirty Pretty Things*, also set in a hotel which this time is used as a cover for human trafficking. The rather weak-willed main character, the head cook in the kitchen of the Imperial Hotel, only realises at the end of the novel during his own descent into depression and disarray that the hotel manager is involved, through his brother, in providing labour for a farm in Norfolk where the conditions meet every one of the conditions outlined above in the definition of modern slavery. Workers are underpaid, money is deducted from the pay without justification and they are subjected to threats of various kinds.

26 In short, the conditions on the farm where he picks spring onions are in all respects similar to the numerous case studies presented in the reports and studies which have proliferated over the last few years. For example an article in the *Guardian* published in December 2006 describes how 700 workers, including Poles, Indians, Pakistanis and Afghans, were bussed from Southampton to a huge flower packing unit in Hook, in Hampshire. The company was preparing deliveries of flowers for the shops to be sold over Christmas. The gangmasters were apparently registered with the Gangmasters Licensing Authority which was set up under the Act which was introduced in the wake of the Morecambe Bay tragedy. The journalist was able nonetheless to establish the same dreary pattern of people being misled about registration, underpaid, not given regular pay slips, having money deducted for various services such as transport in ways which are illegal and unfair and ultimately only sustainable by the threat of violence or dismissal. The company has since terminated its contract with the gangmaster. Such mistreatment may

not always satisfy all the conditions to be considered as human trafficking or modern slavery, but it often comes very close.

Some conclusions

27 This story is just another example of the way that goods are available at prices people can afford only because vulnerable people are forced with varying degrees of severity into working long hours for low wages in precarious conditions, rather mocking the concept promoted by the EU of "flexicurity", the idea that more flexible working conditions are beneficial both to employers, who gain a competitive edge in a global economy because of their access to flexible, cheap labour, and to employees, who are, it is argued, able to adjust their working practices to suit the requirements of their private lives[11].

28 The situation today is a rather mixed bag. The GLA, for example, has clearly begun to have an effective impact on exploitation of migrant workers in the areas over which it has authority. The "down side" is that gangmasters have moved on to other less regulated areas. Pressure groups and charities have been very active, and there is no doubt that the higher profile that has been generated on this problem by the films, documentaries and novels which have focused on these questions, of which those mentioned in this paper are only a few of the more visible examples, along with the reports and debates in Parliament and elsewhere, have had an effect. As mentioned above, Britain has signed the Council of Europe Convention on Action against Trafficking of Human Beings, even though it has been suggested that not all of its provisions are being properly implemented. And finally the crisis which has struck the British economy since 2008 has undoubtedly had a negative impact. It has sharpened still further the competition which encourages even multi-billion pound multinationals to use cheap, undocumented labour[12], and it has led to budget cuts to charities and official agencies. For example, the GLA's funding is to be reduced over the next few years as part of the general savings required in public expenditure. It would be a tragedy if the progress that has been made was reversed because of the cold economic climate.

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NOTES

1. Areas for which the Gangmasters Licensing Authority has power to regulate
2. Nick BROOMFIELD, *Ghosts*, Channel 4 Films, 2006.
3. This long-suffering victim who despite all his trials manages to preserve his belief in humanity is, perhaps unimaginatively, called Job.
4. Amanda CRAIG, *Hearts and Minds*, London: Cape, 2010, p. 410.
5. Gary CRAIG *et al.*, *Contemporary Slavery in the UK: Overview and Key issues*, Joseph Rowntree Foundation, 2007, pp. 12-13.
6. Council of Europe Convention on Action against Trafficking of Human Beings, Article 4, paragraph a. http://conventions.coe.int/Treaty/EN/Treaties/Html/197.htm.
7. *Ibid*, Preamble.
8. Lorena AROCHA. *Wrong Kind of Victim? One year on: an analysis of UK measures to protect trafficked persons*. Anti-Slavery International for the Anti-Trafficking Monitoring Group, June 2010. http://www.antislavery.org/includes/documents/cm_docs/2010/a/1_atmg_report_for_web.pdf.
9. Chris CLEAVE, *The Other Hand*, London, Spectre, 2008, p. 88.

10. *Contemporary slavery in the UK, op. cit.*, pp. 13-15.
11. Cf. Jon BURNETT & David WHYTE, *The Wages of Fear: Risk, Safety and Undocumented Work*, PAFRAS & The University of Liverpool, 2010.
12. Cf. for example Pai HSIAO-HUNG, *Chinese Whispers: the true story behind Britain's hidden army of labour*, London: Penguin, 2008, on Samsung in the UK.pp. 1-25.

ABSTRACTS

Britain in the late 1990s and most of the 2000s was presented as a remarkable economic success story underpinned by a flexible job market which, it was claimed, encouraged the creation of jobs and wealth. There was however a dark side to this image, with an emerging picture of a workforce at the bottom of the pile, made up mainly of international migrants, which was shamefully exploited, to the extent that fears began to be expressed that there was a significant amount of human trafficking and even forms of contemporary slavery underlying the general prosperity. The tragic death of some twenty Chinese "illegals" who were cockle-picking in Morecambe Bay in 2004 alerted public opinion to the issue and a number of reports and surveys focused on the issue. Films and novels also played a role in bringing this situation to life and thus generating further public interest. This article analyses these representations of exploitation and assesses their impact.

Le Royaume-Uni à la fin des années 90 et pendant la majeure partie des années 2000 a été présenté comme un succès économique remarquable soutenu par un marché de l'emploi flexible qui, disait-on, encourageait la création d'emplois et de richesse. Il y avait cependant à cette image un côté moins avouable, et on s'apercevait qu'il y avait également, en bas de l'échelle, une main d'œuvre honteusement exploitée, composée essentiellement de migrants étrangers, si bien que l'on craignait l'existence à un niveau significatif d'un trafic d'êtres humains et même de formes d'esclavage moderne derrière la prospérité générale. La mort tragique en 2004 d'une vingtaine de clandestins chinois qui ramassaient des coques dans la baie de Morecambe a alerté l'opinion publique. De nombreux rapports et enquêtes ont été consacrés à cette question et des films et romans ont également joué un rôle dans la sensibilisation du public en étoffant le côté humain du problème. Cet article analyse ces représentations de l'exploitation et en évalue la portée.

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énormément apporté au CRECIB et à tous ceux qui partageaient sa passion pour la recherche et pour la vie d'une véritable communauté universitaire

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